

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF PUERTO RICO

**ANSWER AND AFFIRMATIVE DEFENSES TO**  
**PLAINTIFF'S VERIFIED COMPLAINT**

**COMES NOW Claimant, VIRGIN ISLANDS WASTE MANAGEMENT**

**AUTHORITY** by their undersigned attorney, Florence Kahugu Esq., submits this Answer and Affirmative Defenses to Plaintiff's Verified Complaint- Petition for Exoneration form or Limitation of Liability (ECF No. 1).<sup>1</sup> The Claimant respectfully shows to the Court as follows:

## **I. JURISDICTION**

1. **AGREES** with paragraph 1 of the Verified Complaint.
2. **AGREES** with paragraph 2 of the Verified Complaint.

## II. PARTIES

3. AGREE that as to the Plaintiff-Petitioner is THIRD LADY LLC but DENY the

<sup>1</sup> See attached Verified Complaint- Petition for Exoneration form or Limitation of Liability.

rest of the allegations contained in paragraph 3 of the Complaint for lack of sufficient information.

4. **DENY** the allegations contained in paragraph 4 of the Complaint for lack of sufficient information.

### **III. FACTS**

5. **DENY** the allegations contained in paragraph 5 of the Complaint for lack of sufficient information.
6. **DENY** the allegations contained in paragraph 6 of the Complaint for lack of sufficient information.
7. **AGREE** with the allegations contained in paragraph 7 of the Complaint for lack of sufficient information.
8. **DENY** the allegations contained in paragraph 8 of the Complaint for lack of sufficient information.
9. **DENY** the allegations contained in paragraph 9 of the Complaint for lack of sufficient information.
10. **DENY** the allegations contained in paragraph 10 of the Complaint for lack of sufficient information.
11. **DENY** the allegations contained in paragraph 11 of the Complaint for lack of sufficient information.
12. **DENY** the allegations contained in paragraph 12 of the Complaint for lack of sufficient information.
13. **DENY** the allegations contained in paragraph 13 of the Complaint for lack of sufficient information.
14. **DENY** the allegations contained in paragraph 14 of the Complaint for lack of sufficient information

15. **DENY** the allegations contained in paragraph 15 of the Complaint for lack of sufficient information.
16. **DENY** the allegations contained in paragraph 16 of the Complaint for lack of sufficient information.
17. **DENY** the allegations contained in paragraph 17 of the Complaint
18. **DENY** the allegations contained in paragraph 18 of the Complaint.
19. **AGREE** with the allegations contained in paragraph 19 of the Complaint.
20. **DENY** the allegations contained in paragraph 20 of the Complaint.
21. **DENY** the allegations contained in paragraph 21 of the Complaint.
22. **DENY** the allegations contained in paragraph 22 of the Complaint.

**IV. CAUSE OF ACTION AND RELIEF SOUGHT**

23. **DENY** the allegations contained in paragraph 23 of the Complaint.
24. **DENY** the allegations contained in paragraph 24 of the Complaint.
25. **DENY** the allegations contained in paragraph 25 of the Complaint
26. **DENY** the allegations contained in paragraph 26 of the Complaint.

**WHEREFORE** Defendants pray that this Honorable Court awards the **VIWMA all costs** and attorney fees associated with this litigation for being required to defend this action.

Date: September 27, 2024



Florence Kahugu, Esq.  
Virgin Islands Waste Management Authority  
7410 Estate Bovoni Bay 2  
St. Thomas, VI 00802  
[fkahugu@viwma.org](mailto:fkahugu@viwma.org)

*IN THE MATTER OF THE COMPLAINT: THIRD LADY LLC.  
ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S VERIFIED COMPLAINT*

**STATEMENT UNDER PENALTY OF PERJURY**

Under Federal Rule of Civil Procedure 11, by signing below I, Akeem Charleswell, certify to the best of my knowledge, information, and belief that this answer:

1. Is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.
2. Is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law.
3. The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
4. The answer otherwise complies with the requirements of Rule 11.

Date: September 27, 2024



Akeem Charleswell  
Virgin Islands Waste Management Authority  
7410 Estate Bovoni Bay 2  
St. Thomas, VI 00802  
[acharleswell@viwma.org](mailto:acharleswell@viwma.org)

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 27th day of September 2024, I caused an exact copy of the foregoing *“Answer and Affirmative Defenses to Plaintiff’s Verified Complaint”* to be served upon **Manuel Sosa**, Esq. Attorney for Third Lady LLC as owner of the M/V BONNIE G, 166 Avenida De la Constitucion, San Juan, PR 00901, by certified mail with return receipt, to said attorney at his stated address.

*Yolonda Sanderson*  
Yolonda Sanderson for Attorney Kahugu Esq.  
Paralegal for VIWMA  
7410 Estate Bovoni Bay 2  
St.Thomas, VI 00802  
[ysanderson@viwma.org](mailto:ysanderson@viwma.org)